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PTO/SB/21 (08-00)

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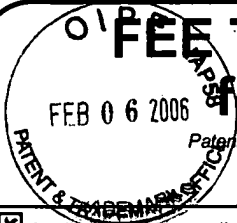
		Application Number	10/027,940
		Filing Date	December 19, 2001
		First Named Inventor	Pablo I. Rovira
		Group Art Unit	2877
		Examiner Name	Hoa Q. Pham
Total Number Of Pages In This Submission	7	Attorney Docket No.	NAN027 US

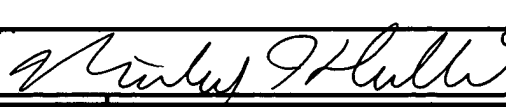
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal (1 page)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached (PTO-2038)	<input type="checkbox"/> Drawing(s) (Cover page and 7 sheets)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation of Previous Powers; And Statement Under 37 CFR 3.73(b)	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	* Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	* Application for Patent Term Adjustment (2 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	* Fee Transmittal Form (PTOL-85, Part B) (in duplicate)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		* Comments on Reasons for Allowance (1 page)
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

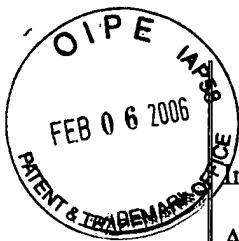
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	Michael J. Halbert (Reg. No. 40,633) Silicon Valley Patent Group LLP 2350 Mission College Boulevard, Suite 360 Santa Clara, California 95054
Signature	
Date	February 6, 2006

Express Mail Label No.: EV 655 768 363 US
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 <h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2005</h2> <p style="font-size: small;">Patent fees are subject to annual revision.</p>	<b>Complete If Known</b>		
	Application Number	10/027,940	
	Filing Date	December 19, 2001	
	First Named Inventor	Pablo I. Rovira	
	Examiner Name:	Hoa Q. Pham	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Group Art Unit	2877
<b>TOTAL AMOUNT OF PAYMENT (\$200.00)</b>		Attorney Docket No.:	NAN027 US

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																																																																																								
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <span style="border: 1px solid black; padding: 2px;">50-2263</span>  Deposit Account Name: <span style="border: 1px solid black; padding: 2px;">Silicon Valley Patent Group LLP</span>  The Director is authorized to: (check all that apply) <input type="checkbox"/> Charges fees(s) indicated below <input checked="" type="checkbox"/> Credit any Overpayments <input checked="" type="checkbox"/> Charges any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charges fee(s) indicated below, except for the filing fee to the above-identified deposit account.	<h3>3. ADDITIONAL FEES</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity Fees</th> <th colspan="2">Small Entity Fees</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fees Paid</th> </tr> <tr> <th>Code</th> <th>(\$)</th> <th>Code</th> <th>(\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within one month</td><td></td></tr> <tr><td>1252</td><td>430</td><td>2252</td><td>215</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>980</td><td>2253</td><td>490</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,530</td><td>2254</td><td>765</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,080</td><td>2255</td><td>1,040</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>340</td><td>2401</td><td>170</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>340</td><td>2402</td><td>170</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>300</td><td>2403</td><td>150</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition for a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,370</td><td>2453</td><td>685</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,370</td><td>2501</td><td>685</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>490</td><td>2502</td><td>245</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>660</td><td>2503</td><td>330</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee for provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per properties (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="4">Other Fee (specify)</td> <td>Application for Patent Term Adjustment 1.18(e)</td> <td>200</td> </tr> </tbody> </table>	Large Entity Fees		Small Entity Fees		Fee Description	Fees Paid	Code	(\$)	Code	(\$)	1051	130	2051	65	Surcharge - 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Name (Print/Type)		Michael J. Halbert	Registration No. (Attorney/Agent)	40,633	Telephone	(408) 982-8202																																																																																																																																																																																			



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Pablo I. Rovira; Lars Markwort  
Assignee: Nanometrics Incorporated  
Title: Pulsed Spectroscopy with Spatially Variable Polarization Modulation Element  
Serial No.: 10/027,940 Filing Date: December 19, 2001  
Examiner: Hoa Q. Pham Group Art Unit: 2877  
Docket No.: NAN027 US Confirmation No.: 2588

Santa Clara, California  
February 6, 2006

Mail Stop Issue Fee  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMENTS ON REASONS FOR ALLOWANCE

Dear Sir:

In the Reasons for Allowance dated November 10, 2005, the Examiner stated

The prior art of record taken alone or in combination, fails to disclose or render steps or limitations "a spatially dependent polarizing element in the path of the pulsed electromagnetic beam that varies the phase of the pulsed electromagnetic beam spatially along a first direction and "a multi-element detector within the path of the pulsed electromagnetic beam after the spatially dependent polarizing element, wherein the multi-element detector detects the intensity of the pulsed electromagnetic beam as a function of phase along the first direction and as a function of wavelength along the second direction", in combination with the rest of the limitations of Claims 1, 9, and 14.

Applicant notes that the quoted limitations are only from Claim 1 and that Claims 9 and 14 do not recite the above quoted limitations. Accordingly, it is inappropriate to read such limitations into Claims 9 and 14. Applicant submits that each of Claim 9 and Claim 14 are allowable for their respective limitations and not for reasons related to limitations found in any other independent claim.

Should there be any questions concerning these Comments, the Examiner is invited to undersigned at (408) 982-8202.

**Via Express Mail Label No.  
EV 655 768 363 US**

Respectfully submitted,

Michael J. Halbert  
Attorney for Applicants  
Reg. No. 40,633

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